DOCUMENT RESUME

ED 203 944 JC 810 399

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TITLE Colleges and Cable Franchising.
PUB DATE Apr 81
NOTE 16p.: Paper presented at the Annual Convention of the American Association of Community and Junior Colleges (61st, Washington, DC, April 20-22, 1981).

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Cable Television: *College Role: Community Colleges: *Educational Television: *Program Costs: Program Development: School Responsibility: Two Year Colleges
IDENTIFIERS *Franchising: Television Access

ABSTRACT

After noting issues of audience appeal and financial and philosophical support for educational broadcasting, this paper urges community colleges to play an active role in the process of cable franchising. The paper first describes a cable franchise as a contract between a government unit and the cable television (CATV) company which specifies what services the company will provide in return for use of public rights of way for its cables. The paper then discusses five franchising problems, including the tendency of CATV companies to promise more than they can deliver: the possibility that CATV fees may preclude minority participation: and the uncertainty over what the public is willing to pay for CATV. A rationale for college participation in the CATV franchising process is then presented, which cites the need for colleges to keep up with emerging CATV technologies and the colleges' obligation to address social issues in the franchising process. After identifying the risks of this involvement, the paper presents five guidelines for participation: (1) become involved early in the franchising process: (2) take on an activist role: (3) become informed about relevant political and technological issues: (4) recognize the need for collaborative efforts with other institutions: and (5) plan for the costs of participation. The paper concludes with a list of problems to be addressed to fulfill CATV's educational potential. (JP)

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COLLEGES AND CABLE FRANCHISING

Comments presented at the
AACJA Convention
April, 1981

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COLLEGES AND CABLE FRANCHISING

> "That educational stations, by and large, are misfits in American broadcasting, commanding little financial support from their own institutions and having negligible listener appeal, is reflected in the official records of the (radio) commission...
> It is one thing to present well-organized educational programs over commercial stations which have an audience. It is another to attempt to cram education down the public's throat over more stations that have no listener appeal..."
>
> Editorial, Broadcasting, January 15, 1933[1]

This is a statement which appeared in a publication which has long served as a forum for commercial broadcast interests. It is a response to a debate which raged in the early 1930's regarding the appropriate use of the radio medium. Ultimately, nationally organized educational interests with designs on the potentials of the radio were edged aside in the rush to capitalize on the revenue generating potential of commercially sponsored radio transmissions. I have chosen to introduce my comments today with this piece of historical commentary for two reasons. First, the sequence of events which led to this editorial and the advent of commercial broadcasting to the exclusion of educational broadcasting, is one that was repeated with

the introduction and growth of television and is presently of significance for ITFS facilities and in the awarding of cable franchises as well as other alternative electronic delivery systems. While not overly optimistic regarding man's capacity to learn much from the past, it seems not only appropriate but obligatory to point out that the road we are travelling with regard to cable has been travelled by our educational communications predecessors, albeit with limited success. Second, and perhaps most significant, is that buried within the rhetorical context of the quotation is some truth. Such truths as limited financial support for educational programming by educational institutions; a pendantic approach to programming by educators and a less than overwhelming philosophical support from educators at large have historically contributed to the piecemeal and arbitrary growth of educational broadcasting.

Each of these issues--audience, financial support, and philosophical support--in combination with some others, such as accessibility and the need for cooperative endeavors, bears heavily upon the concept of cable franchising and the role to be assumed by colleges in the process.

THE FRANCHISE--WHAT IS IT?

A cable franchise is a contract between a recognized governmental unit, usually a city, and the cable television company. Since a cable company must use public rights of way in order to hang or bury its coaxial cable, a contractual agreement (the franchise) must be developed. This agreement, most often non-exclusive, should precisely identify the services that the company will deliver, the local policies and regulatory conditions imposed by the city, access requirements, franchise fees, performance bonds, the processes for renewal of the franchise, rates at

which systems must develop, and all details regarding the relationship and obligations between the city and the cable company. Once approved, most cable franchises are granted for fifteen years, with options for renewal. While the majority of franchise agreements cite non-exclusivity, the reality is that it is neither profitable, nor in some areas feasible, for two cable companies to compete in the same area. This means simply that what evolves as a result of the franchising process is something that will be around for a considerable time.

As a consequence, the cable franchise and the process leading to its granting, is perhaps the only real area of competition within the cable industry. Technically, most systems are equivalent and each new system is constructed with a capacity to add on. Therefore, in order to compete, many companies are proposing to build highly sophisticated cable systems, with each company trying to outdo the others with promises of multiple origination studios, access channels, two-way services, training programs, and even seed money for locally produced programming.

The most sophisticated that I know of has been proposed by Teleprompter in Glen Ellyn, Illinois. They propose a two-way interactive cable network with 152 channels, 98 channels for home entertainment and communications use; and an additional 54 channels set aside for public institutions. If granted the Glen Ellyn franchise, they propose to establish a foundation and contribute $260,000 to it, as well as $132,000 toward a master control and $132,000 for additional studio facilities, among other promises.[2]

This is all very appealing, particularly for those of us who have had to scratch for time to transmit educational programming. But there are two sides to this new access equation: Balanced against a future of 24 hour, multiple reserved channels are unanswered questions and reservations.

1) Among cable operators, particularly the owners of smaller systems, there is a concern that in the rush to gain franchises, promises are being made which are neither required at this time, nor, say some, possible to keep.

The following two comments by cable representatives reflect this condition:

> "I think the big problem in our industry is that some cable companies are making outrageous promises, and its going to be quite difficult for those companies to live up to them. I think the 108 channel systems that people are proposing are not necessary at this time--we all build with the capacity to add on."[3]
>
> "There are now so many ways that (we) can make hideously expensive mistakes, and we don't have the proper information to make the decision. Its gut hunches. It's terrifying, it really is."[4]

Once the promises are made and the franchise granted, the burden of proof in the form of use will fall upon all those local agencies who have sought and received channel reservations, physical space, equipment and the like. If effective use is not forthcoming, these concessions could easily disappear, despite contractual obligations.

2) It is important to remember that within the cable industry as well as other forms of speculative enterprise, there are no free lunches. Each set of services, such as governmental and educational access channels, studio facilities, production support, and the like will have a cost. That cost will be pro-rated over the subscribership at whichever tier of service these channels are placed. What is the public willing to pay for in the area of the general public good? We don't know!

3) Will the cost of receiving cable service be within the range of possibility for local citizens who are in the lower social and economic brackets? Or, will it create yet a further barrier to the participation of these people in both governmental activities and educational opportunities?

A recent Arbitron survey of 9,000 television viewers sampled attitudes and attributes of potential pay-cable viewers. While the findings are lean, they do give pause for thought. The three most revealing findings were:

a. That educational level plays no significant role in the amount of pay-cable watching.

b. That income level does, however, play a role in the decision to subscribe. Households with a yearly income of $25,000 or more are most likely to become subscribers.

c. Pay-cable viewers spend more time watching movies, mini-series, nature/wildlife programs and PBS type shows.[5]

While each of these findings can be interpreted in several ways, given the marketing orientation of cable systems, it is very likely that this type of information will guide both the development of local franchises and determine the type of programming they are securing. The potential is there to exclude minority interests and those with lower incomes, particularly in the expansionary aspect of development.

4) How will the tiered fee structure affect educational applications? Under most franchise agreements, the highly touted, interactive and two-way services are priced within the highest, most comprehensive and costly tiers. Are there ways in which access to these services can be made widely available?

Finally, 5) What are the real economics of participation? While it is generally believed that the costs related to narrowcasting are substantially

less than broadcasting, there is no better data regarding the real costs of institutional participation than there is regarding the participation of individual households.

THE COLLEGE: WHY BE INVOLVED?

Given the preceding concerns and the fact that there appear to be more questions than answers, why should a college get involved, especially in these times of increased financial constraint?

First, the new technologies are here and what will be made of them will not await the deliberations of faculty or institutional ambivalence. In the absence of hard cognitive understandings of how people learn, education remains in large measure effective communication. Cable television represents another avenue through which to extend this process.

Second, there are social, political, economic and philosophical reasons for college involvement. As educators there is a social obligation to protect the educational interests of those persons in the community for which we provide services. There is a need to be active in the franchising process, often a highly politicized undertaking. In this setting the broad and specific community centered needs can be effectively debated and resolved. There is a need to deal with the direct and indirect costs of participation--both for institutions and individuals. While the concept of the wired community offers highly futuristic avenues for extending communications, it also has the potential to limit privacy once sophisticated data retrieval, scanning and billing systems are in place. It is particularly important that we who are involved are both aware of this conflict and work to guard against excesses. There is the need to become informed in the ways, the means and the intricacies of the process,

for it will be with us whether we are involved directly or not. There is a need to explore the potentials inherent in the concept and to learn from them.

The very act of becoming involved is, in fact, educational. Without active, coordinated involvement in the formulation of franchise conditions, this potential will be unspecified. Most people's understanding of cable rests in the concept of first run films presented without commercial interruption. There is a professional and civic responsibility to broaden this concept. There is a great potential for an increased public awareness of government and for participation in government. There is a great potential for narrow audience targeting of special educational opportunities. Opportunities such as special in-service education which provide remedial or developmental strategies for teachers delivered at their worksite, specialized data or information sharing between medical facilities, courses specially created for the elderly, the young or the very creative all need to be explored. It is incumbent upon us to actively participate in this process by becoming better informed ourselves and helping others to see the possibilities.

It should be noted that each of these applications is preceded by the word "potential," a description that has been attached to each new communications technology--from radio to broadcast television and now cable television.

This potential can easily be blunted if local groups do not require cable operators to provide specially reserved channels and a degree of assurance that franchise areas will be: obligated to wire both upper income and lower income areas, be obligated to interconnect systems so as to provide a communications network within the region, and to guard against a rate structure that will place undue hardship upon those whose socio-economic situation already limits access to opportunity.

If this territory is not staked out early in the game, it may well be lost. There are risks and obligations inherent in becoming involved.

The first is to seek direct involvement in the governmental process and the commitment of time that must go into committee meetings, commission or board hearings.

A second risk involves creating local ordinances and institutional commitments in a field where completely accurate information is unavailable but advice of undertain veracity easily obtained, and the results of which can last for many years.

Third is the risk of obligating an institution to the use of a cable system once a franchise has been granted and a system is developed. This can mean a commitment of staff time, equipment funds and the like.

Last, there is the risk of losing institutional autonomy as varied interests lobby for their piece of the cable allocation. Handled appropriately, any loss of autonomy can be more than compensated for by the collaborative attempt to share access, the cost of access and the expertise required to implement effective use.

THE CHALLENGE: WHAT CAN IT BE?

With careful and cooperative planning, cable television has the potential to broaden the reach of post-secondary education, provide new, dare I say, channels for community interaction and expand our knowledge of the students we serve and the services required. The following ideas are offered as guidelines for those with a need to plan:

1) Organize Early: The involvement in media-based activities is often confusing and the absence of concrete information makes it sometimes frightening. It is important that all local educational players be involved from the beginning. At best, this local coalition should seek involvement in the drafting

of local franchise regulations. Minimally, it should have a say in the franchise review and recommending process once requests for proposals are made. It is equally important that groups of potential users resolve questions such as scheduling, channel reservations, responsibilities for programming channels, and use priorities among themselves, before interacting with other organizations.

2) Become an Activist: Identify one area or individual in your institution who will have the responsibility for interacting with cable interests. Volunteer for task forces, planning groups, or sessions. Seek the involvement of other local educational, governmental and special interest groups. Be wary of catering to single cable interests, work with each making no commitment to any. Seek local governmental involvement, and help to educate them in the possibilities.

3) Become more Informed: Begin reading communications trade publications, journals and newsletters. Start communicating with groups that have already begun to organize such as Dallas', Council on Educational Access, or Bergen's Consortium or the Connecticut Consortium, or Dade County to name just a few.

4) Recognize that the potentials in cable and related technologies will be largely dependent upon collaborative enterprises and that it will be difficult for single institutions to go it alone.

5) Recognize and be prepared for the real costs of participation. It is one thing to get channels reserved; it is quite another to fill them with appropriate programming 12-14 hours per day, seven days per week, 52 weeks per year. There will be costs

for administration, development, materials acquisition, production, equipment and maintenance which will need to be addressed for sustained and credible operations.

Under-utilization will ultimately result in a loss of access and of potential, much as it did with broadcast radio and television.

SUMMATION -- THE FUTURE

What presently exists is the promise of a new technology. With some exceptions made for variations in scale, cable is at a juncture comparable to that experienced earlier with radio and television. In the preceding cases, the "public" which was ultimately most served was determined by the capacity of medium to deliver consumers to advertisers. Paid advertising led the way. Make no mistake about it, advertising will soon be common fare on cable systems. This additional source of revenue will increase the demand for channels and competition for reserved and under used channels.

The shape of cable as a publically responsive, dynamic system will largely depend upon the relative importance given to it by local governments and concerned and responsible interest groups. And, ultimately by the shape and substance of the local franchise, produced by these groups.

Cable systems continue to show rapid growth and development. The continuation of such optimism is yet to be tested by the realities of the market place. Whether the new systems with their extravagant claims will actually be built, and if constructed, popularly priced is still a question. Who will the primary subscribers be? The Arbitron data suggests a rather exclusive profile quite similar to that for PBS subscribers. How will low income clients be served in this process? What benefits will accrue to non-subscribers as a result of increased educational commitment to cable technology? How will local systems be interconnected? And finally, what

level of commitment can be expected from educators in terms of time and sustained financial and philosophical support? Whether the educational potentials of cable and related technologies will be effectively explored and realized or whether they will suffer the fate of earlier initiatives, will depend largely on how we answer these questions.

FOOTNOTES

1. "The First 50 Years of Broadcasting - 1933," Broadcasting, October 27, 1980, p. 67.

2. "Teleprompter Proposes Super Sophisticated Cable System," The Videocassette and CATV Newsletter, Vol. II, No. 4, January, 1981, p. 14.

3. "Cable Television in the Eighties," Roundtable, Emmy Magazine, Vol. II, No. 4, Fall 1980, p. 17.

4. "Cable Television in the Eighties," Roundtable, Emmy Magazine, Vol. II, No. 4, Fall 1980, p. 24.

5. "Arbitron Study Shows Impact of Pay Cable on TV," The Videocassette and CATV Newsletter, Vol. II, No. 2, November, 1980, p. 12.

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